

**U.S. Department of Labor  
Office of the Solicitor**

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**Via ECF**

May 27, 2021

Hon. Sanket J. Bulsara, U.S. Magistrate Judge  
U.S. District Court for the Eastern District of New York  
225 Cadman Plaza East, Chambers 304N  
Brooklyn, NY 11201

Re: Secretary of Labor v. KDE Equine, LLC & Steve Asmussen, 19-cv-3389-KAM-SJB

Dear Judge Bulsara:

The parties respectfully submit this joint status report regarding the status of settlement negotiations in light of the current May 27 deadline to submit the proposed consent judgment.

The parties are continuing to discuss certain terms and draft language, in an effort to make as much progress as possible before potentially requesting any further settlement conference.

At this time, the parties respectfully request an additional 32 days, until June 28, to submit the proposed consent judgment for the Court's approval. (The parties also respectfully request a further 45-day adjournment of all pre-trial deadlines.) Defendants' counsel Clark O. Brewster and Mbilike M. Mwafulirwa need the additional time because they are heavily engaged in preparations for trial. Counsel are set for a multi-party derivative action trial beginning June 14th to June 19th.

Sincerely,

Jeffrey S. Rogoff  
Regional Solicitor

By: s/  
David J. Rutenberg  
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s/  
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Mbilike Mwafulirwa  
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Cc: Clark Brewster, Esq., counsel for Defendants (via ECF)  
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